

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-10047-RCL
)
LUIS RODRIGUEZ, A/K/A)
 "ONE EYED LUIS")

GOVERNMENT'S ASSENTED TO MOTION TO EXCLUDE TIME

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and Peter K. Levitt, Assistant U.S. Attorney, and hereby moves to exclude from all Speedy Trial Act calculations the period of time from November 2, 2004 to and including November 30, 2004 (the date of the scheduled Pretrial Conference) (excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(F) and § 3161(h)(8)(A)). As ground for this motion, the government states that the parties are in discussions regarding a possible resolution of this case short of trial and that the additional time will assist the parties in facilitating those discussions. The requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial. The defendant, through counsel, assents to this request.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: S/ PETER K. LEVITT
PETER K. LEVITT
Assistant U.S. Attorney

November 2, 2004

CERTIFICATE OF SERVICE

I, Peter K. Levitt, do hereby certify that a copy of the foregoing was served by facsimile on counsel for the defendant, Valerie Carter, Esq., on November 2, 2004.

S/ PETER K. LEVITT

PETER K. LEVITT

ASSISTANT UNITED STATES ATTORNEY